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THOUGHTS

ON THE

Dismission of Officers,

CIVIL or MILITARY

FOR THEIR

CONDUCT in PARLIAMENT.



L O N D O N:

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P R E F A C E.

TH E writer of the following pages thinks proper to premise, for the satisfaction of the reader——that he has no seat in parliament——no office, civil or military——no interest with any administration in *esse* or in *posse*——no acquaintance with any leading men of the majority or minority——no knowledge of the secret transactions or secret views of either party——and, in short, no other right to address himself to the public or any political subject, than that which he conceives to belong by inheritance to every Englishman, who is acquainted with such fundamental principles of the constitution
of

of his country, as it is a disgrace to an Englishman not clearly to comprehend, or not duly to prize.

The reader therefore is to expect neither curious anecdotes, nor the refinements and mysteries of policy : much less pænegyric or invective on particular persons. If he meets with a little plain sense, and a few substantial reasons, founded in a true apprehension of the nature of the British constitution ; the writer's end will be fully answered.

THOUGHTS



T H O U G H T S

O N T H E

DISMISSION of OFFICERS, &c.



T H A T the crown has an absolute right of dismission over such of its servants and officers, as hold not their places under some other security than the royal pleasure ; is a proposition in appearance almost identical, and, indeed, if confined to a certain sense, not to be controverted.

This right is often compared to that, which a master of a family possesses, of
B parting

parting with his servants, so soon as they begin to be disagreeable to him, without being bound to give any account of his reasons for so doing. The comparison holds tolerably well, in a loose easy way of applying it. But I would beg leave to hint to the next person who shall think proper to lay any great stress upon it, that there is at least a slight difference in the two cases, arising from a circumstance of distinction not always attended to. If the servant of a subject be discharged, he provides himself with a new service, or if he cannot, it is through his own fault. But if a servant of the public be displaced, to whom shall he betake himself? His duty to the public and to his Sovereign, and his obligation to general services remain; tho' his particular services, and the emolument arising from them to himself, be extinct.

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Whatever advantages he enjoyed in the possession of his place, he is deprived of them, without receiving any visible compensation, and without a power of obtaining any by an application elsewhere. This perhaps is not the only circumstance of distinction that might be mentioned ; but it is the only one with which I think it necessary to trouble the reader.

The matter of right then being taken as an uncontrovertible principle, it may be proper to enquire a little, what kind of right this is ? For there are rights, which are called so, only because they are not in a strict and legal sense wrongs : rights, which are consistent with the violation of the most tender and sacred regards, of the laws of equity, honor, and humanity. Now, if there should appear any reason to suspect, that the right thus agreed on is of this kind ; there will remain, notwithstanding such agreement, an ample

field for discussing the matter before us, in a moral, as well as a political view.

A favor granted without consideration of any real or supposed claim, title, or merit, in the receiver, and by the terms or nature of the grant, merely dependent on the will of the granter ; such a favor, and I think no other, may be withdrawn fairly and justly, without the allegation or pretence of any default in the receiver. But, tho' it be held never so absolutely at will ; yet, if it be esteemed or supposed to be, in any degree, either a reward of services, or dependent on them for its continuance ; the withdrawing of it implies some discovery or some change to the discredit of the person who enjoyed it——that either he was not so deserving as he appeared, or is become less so. To one of these causes it must be attributed ; except where a third supposition chances to obtrude itself upon us——
that

that he both was, and continues to be, as meritorious as ever he appeared ; but that thro' some fatal misrepresentation, misapprehension, or other *extraordinary* accident or change of circumstances, his plea of merit is over-ruled.

Now it would be highly disrespectful to the wisdom of government; to suppose that offices of trust were ever bestowed on others than such as had gained a title to them by their past services, or were expected to be serviceable in futuro, by the faithful discharge of the duties incident to their offices. And if so ; they are not to be considered as meer favors, such as, being bestowed without regard to merit, may be withdrawn at pleasure, without any reason given, and without cause or colour of complaint. It may be no violation of any absolute and perfect right ; it may not, strictly speaking, be an unlawful and injurious act, so to withdraw them :

them : but it may be contrary to the rules of equity or prudence. Such measures indeed are amenable to no court of judicature, except that which is seated in the breast of every thinking man.

From the jurisdiction of that court, there is no authority on earth that can exempt them. And I hope the deference I pay to it will not be construed as *a contempt of the court of King's Bench*, or any other court in the world.

Taking it then for granted, that such exercises of ministerial power are not to be looked upon merely as acts of power ; but that the propriety, and even the rectitude of them, are proper subjects of debate ; I proceed to the examination of the following question.

Whether it be equitable and politic,
to displace an officer, civil or mili-
tary

tary, solely for his conduct in parliament ?

1. And first, for the equity of the measure.

Here I am aware, at my setting out, of the antiquated style and method of reasoning, into which my subject will lead me. I foresee that I shall be obliged to speak in the language of those, who pique themselves on their patriotism, their conscience, and their honor : a language which, when used in the discussion of a political question, is, to refined politicians, either contemptible, or, from disuse, unintelligible. The reader therefore, who is of this superior cast, will do well to pass over this article, which treats of the equity of the measures in question. I may possibly have the honor to adapt myself more to his ideas of things in the subsequent. But, in the mean time, I beg

leave

leave to recommend one hint to his consideration, least he should altogether despise me for bestowing a few pages on these antiquated notions.——That, however chimerical they may appear to the first-rate politicians of this enlightened age, it is generally thought prudent to maintain some degree of outward respect to them; that they are at least popular and plausible; that they give credit to a cause, and are sometimes employed, and that by no inconsiderable masters in the science, as useful auxiliaries, where they can be made subservient to some more important object.

The first duty of every man, who serves his country as one of its representatives in parliament, is to consult the public good. All private obligations to a minister, or even to his sovereign, are of an inferior nature. Indeed, as the real interest of prince and people are essential-

ly and invariably the same, it is impossible to promote the one without the other. Every man who is solicitous for the support and preservation of government, which every man in a public station ought to be, will concur with the measures of an administration, whenever his sober judgment informs him that they are likely to contribute to this main end. But, whether they be so or not, is a question that must be left to his private judgment to be determined. To controul his exercise of private judgment, is to deprive him of that liberty, without which he cannot discharge the duties he owes to the public. To punish him for making use of such liberty, is an implied denial of that independency, which the constitution supposes him to possess: it is to declare war against the freedom of parliament, which is the great bulwark against arbitrary government. The fear of being deprived of such emoluments

as he enjoys from the favour of the crown, in consequence of his opposition to measures which he thinks detrimental to the public, reduces him to the disagreeable dilemma of renouncing either his own private interest (and that in so tender a point as parting with what he has actually in possession) or the interest of his country. Happy is the man who has virtue enough to make the former his choice ! But an honest man ought not to be exposed lightly to such a temptation.

The infliction of this punishment cannot be justified otherwise, than by asserting the opposition to have proceeded from corrupt views ; or, at least, from an error of judgment that requires to be rectified by so violent a remedy. But who has a right to assert this ? Is the minister a proper judge in a cause where he himself is a party ? If so, it must

must be on some principle widely different from the ordinary and established rules of equity. A member of parliament is answerable for his conduct in that capacity only to God and his country. He is appointed by that country as one of its guardians against all wrongs and incroachments, from whatever quarter they proceed. If he discover, or think that he discovers, any evil tendency in the conduct of an administration ; he is bound to oppose it. And if by such opposition he incurs the resentment of the ministry, to the hurt of his fortune and embarrassment of his affairs; the public has reason to complain of this, as an unjust attack upon its most sacred privileges.

Perhaps it will be said, that the same reasoning concludes equally against a minister endeavouring to influence a member of parliament by any lucrative

consideration at all. Indeed, I am afraid it would be difficult to prove any measure of that kind strictly defensible.

But there is a wide difference between the tempting a man to be dishonest, and the punishing him for being honest. The one excites our indignation, and causes us to lament, that the business of government should be carried on by such ignoble means ; means tending, tho' perhaps by slow degrees, to destroy the balance of government, and with it the government itself. The other alarms us with the apprehension that such evil tendency has begun to take effect, that the mask is already pulled off, and war declared in form against our liberties.

But gratitude obliges every man to comply with the measures of the court, who enjoys advantages from its favor. It does so, where such compliance leads not to a breach of the sacred trust reposed in him
by

by his country. For whatever obligations he may be under to the court; he is under greater to the public.

It may be urged, that where his duty will not allow him to concur with the administration, he ought to resign. To this I answer, that his obligations to a minister, where he not is bound by particular promises, subsist no longer than the minister acts an upright part—that they are inferior and secondary to those which he lies under to his sovereign; whose interest, as I observed before, is the same with that of his people—and that he is not obliged, by resigning, to strengthen the hands of a party, whose views he has reason to think dangerous to the public.

The above reasoning holds with peculiar force, in the case of that man who enjoys no advantages, but what he has earned in the service of his country. Every officer

ficer in the army or navy, who has been advanced in the course of service, has a right to enjoy the dignity and emoluments consequent on his advancement, till he has forfeited them by some breach of his military duty, or some crime lawfully proved upon him against the state. And if, without the allegation or even pretence of any such misbehaviour, he be degraded from his honor, and despoiled of his income ; his country, which is indebted to him for his services, and has chearfully defrayed the expence of his rewards, beholds with a just indignation a step that tends to quench the ardor, and check the emulation of all who are desirous of treading in the same honorable steps.

It is not to be denied, that every servant of the crown, who behaves factiously, indecently, or in a manner inconsistent with the reverence due to that power from which he derives his honors and advantages

tages, may, with propriety, be dismissed
 from its service : and that such punishment
 may be justly inflicted, in cases which
 come not under the cognizance of the laws
 of the land. But it seems to me, that
 no parliamentary opposition how violent
 soever, if it be conducted without a breach
 of the respect due to the person and sa-
 cred character of the sovereign himself,
 ought ever to be considered in that light.
 For the freedom of parliaments is no less
 sacred than the authority of the crown :
 and it is an essential branch of that free-
 dom, to censure without reserve, and to
 oppose without restraint, the measures of
 a ministry. It is a common thing for mi-
 nisters to intrench themselves behind the
 royal authority, to represent the opposition
 to them as an attack upon government,
 and to brand all instances of it with the
 odious titles of disloyalty and disaffection.
 But in so doing, they are guilty of be-
 traying the power that supports them,
 and

and excite just suspicions of their fidelity to the trust reposed in them. If a minister lay claim to what even his master has no right to, an unlimited acquiescence ; his claim is unconstitutional, he has other views than the serving either his king or his country, and power is dangerous in his hands.

I will not affront either the understanding, or moral sense of the reader who has borne me company thus far, by supposing it necessary to enlarge on this branch of the question ; but shall proceed to examine the matter before us in a political view.

2. But first, let me premise, that I presume not to interfere with, or to argue about, that mysterious and abstruse policy, the object of which is, the support and continuance of an administration. I speak only of that policy, whose object is, to
secure

secure to the prince that just proportion of power, which may enable him adequately to fill his department in the commonwealth, without incroaching on the privileges of the people. I am aware that experience will be alledged in support of the measure in question; and the success with which it has been practised will be pleaded, as an incontestible proof of its utility. For this reason, I must beg leave to adhere to the distinction which I have laid down, between ministerial and kingly policy. A distinction which, I hope, is not altogether without foundation.

For, altho' a minister who acts as a faithful servant to his sovereign, has reason to expect all the countenance and support in return, which it is consistent with the character of a sovereign to give; it cannot be supposed that the latter is obliged to descend from his dignity, by entering into all the intrigues, which the minister

nister may think proper for the establishing his interest, and securing the continuance of his power. The balance of the several parties in such a state as ours, is, or ought to be, in the hands of the king: and should he submit to adopt the private views of any one of them, he would give up a most useful and honorable part of his royal prerogative. Indolence may render him averse to the difficulties and agitations that attend a change of ministers. Affection to those, whose zeal and fidelity he has experienced, may incline him to wish for the continuance of their services. But there are conjunctures, when, in spite of indolence or affection, it will be necessary for him to throw the administration into other hands.

A very unpopular minister can hardly be a good one. Knowing on how insecure a footing he stands, he is full of jealousies and suspicions. And thus cir-
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cumstanced, he must be possessed of a very uncommon share of virtue and public spirit, if he make use of none but fair and honest means, to enlarge his influence and strengthen his party. In proportion as he is disagreeable to the people ; they, in their turn, are averse to his measures : the spirit of opposition prevails : and his most salutary schemes are rendered ineffectual and abortive. When things are come to this pass ; he is no longer fit to be entrusted with the conduct of affairs. And no imputation will lie on the sovereign, who complies so far with the desires of the people, be they well or ill-founded, as to take the administration out of the hands of a man, who, so long as he remains in power, must necessarily involve his sovereign in the odium which he has fallen under himself.

It may seem hard, thus to sacrifice an innocent man, nay, one perhaps who has

deserved well of the public, to popular prejudice : But the hardship of the case renders not the sacrifice less necessary. Merit is, in this case, a private and single consideration, not to be put in the balance with public utility. When a servant of the state, and one in so important a station as a minister, becomes unfit for service, whether it be by his fault or his misfortune; no past services will justify the continuing him in place. And as to the apparent hardship of the case; it is to be considered, that every minister knows at his setting out, by how precarious a tenure he is to hold — that the service of a minister is not a dry and fruitless service — and that he can scarcely have much reason to complain, that he is obliged to quit the field which he has been labouring, and to leave the harvest ungathered.

Nor has the sovereign reason to apprehend any formidable difficulties in supplying

ing his place. There is always good store of active and ambitious men. And if a sovereign betray not an improper levity, by changing his servants before the urgency of the case requires it ; there will not be wanting persons of reputation and ability, whom the desire of profit or of fame, and possibly a more honorable motive, will dispose to enter with alacrity on an employment, at once gainful, illustrious and important.

If a sovereign, on the other hand, descend so low, as to be a partizan of a ministry ; he acknowledges himself to be, and is in effect, their slave. For the necessity that he fancies himself under, of adhering to their cause, will be bonds and fetters to him ; which they will hardly fail to draw as tight as possible, by raising suspicions in his mind against all those subjects who are not of their party, however well affected to his person and government ;

ment; and by terrifying and seducing him into such measures as tend to alienate their affections from him. Nay, they will not be content with acquiring a power, so monstrous in its nature : they will render it still more monstrous, by exercising it in a tyrannical manner. And as the sovereignty is thus translated from the prince to his ministers, the prince himself becomes a meer pageant, a piece of state and ceremony, a slave and a prisoner in the midst of homage and magnificence.

The only method a sovereign has to secure his independency, is, not to attach himself to any minister or junto of ministers, in such a manner as either to be afraid of them, or by placing his whole confidence in them, to act as if he were afraid of his subjects. In a despotic government ; a minister blindly devoted to a monarch, and a monarch blindly attached to a minister, are according to the
natural

natural course of things : but far otherwise, in a free state like ours. No ministerial abilities, or ministerial zeal, can give a King of Great Britain a security and a dignity equal to that, which he will gain by such an open and spirited conduct, as shall indicate a mind satisfied of the affection of his people. The only unlimited confidence, that a King of Great Britain can place without danger, is in a free parliament.

The people of this country are much disposed to be zealous and affectionate towards their sovereign. Nor can any proof of their affection be desired, that is for the honor and advantage of the sovereign, which they are not ready to give. Nothing can cool the ardor of their zeal for a good prince, but the apprehension of his being too much under ministerial influence. And it would be a lamentable thing, if he should be reduced to depend on
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ministerial artifice, when he might carry every point which such a prince can aim at, without any artifice at all.

I hope enough has been said, to justify the distinction above laid down, between the policy that is proper for a king, and the policy that is usual among ministers : and I flatter myself, that I shall not be thought unjust to my subject, if, in the further course of this examination, I refer wholly to the former.

Now, it certainly is for the interest of the prince, to be on good terms with his people. If unpopularity be a bad quality in a minister, it seems still worse in a king. It may not indeed hinder the ordinary business of government, from going on in its accustomed channel : it may be some time before any sensible mischief arise from it. But in time of danger or difficulty, or when the prince is reduced

duced to such a situation as to need the assistance of his people ; a wide difference will appear between the prince who is possessed of the hearts of his subjects, and him who is not.

The people are not only solicitous for the support and preservation of a prince whom they love, but jealous for his honor. They submit chearfully to the burthens and expences of war ; and are ready to anticipate his wishes, in contributing to every measure that tends to make his name respectable, his alliance desirable, and his enmity formidable. On the contrary, where they are suspicious of the prince ; they are backward in entrusting him with any degree of power, or furnishing him with even the necessary supplies : they embarrass him, both in his domestic and exterior policy : they are careless of his reputation, they render him inconsiderable

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amongst his allies, and contemptible to his enemies.

Now, of all the measures which a prince can make use of to strengthen the hands of his ministers, perhaps no one contributes more to render him unpopular, than the measure in question. For it excites all those suspicions, which the minds of a people jealous of their liberties are apt to conceive against those in power. It has the appearance, at least, of an infringement of one of the most important privileges vested in them by the constitution of the kingdom; the right of speaking and voting freely by their representatives.

Under a popular discontent so justly founded, the seeds of all kinds of mischief have time and shelter to take root, and expand themselves into full strength and maturity. The spirit of discontent is not extinguished, by being for a time suppressed:

pressed : it waits but a favorable opportunity to break forth ; and times of public perplexity can hardly fail to furnish it with such an opportunity. Then, the longer it has been stifled, the more furiously it blazes ; the party which has been triumphant during a state of tranquillity, is obliged to give way to the violence of opposition : the crown is embarrassed ; the public in confusion ; and a change of ministry is unavoidable, at a time when possibly such a change is extremely hazardous both to prince and people.

It may perhaps be thought, that by maintaining the parliament in a constant dependence on the crown, which is the object aimed at by the measure in question, the consequence abovementioned of unpopularity in a king or a ministry may be prevented. But, suppose never so great an influence to be obtained over the parliament, and never so strong an assurance

of their obsequiousness to the court : yet what minister will undertake to corrupt the whole body of the people ? and till that is effectually accomplished, and all remains of the antient British spirit extinct ; he has done his business very imperfectly. For, when once the people are alarmed with the apprehension, that their rights and liberties are in danger of being betrayed by their representatives ; the party in opposition will encourage the alarm ; and the parliament will be obliged to comply with the clamors of their constituents, till the cause of discontent be removed.

Now, as nothing but arbitrary proceedings on the side of the court can raise the spirit of discontent to such an height ; in order to quell the clamour and opposition which they have occasioned, the crown will in all probability be enforced to make concessions, by which it will lose something

thing more than the advantages it has gained. For the cause of liberty gains by encroachments made upon it, when once the spirit of liberty has found means to exert itself. And when it has obtained what it first fought ; encouraged by success, it will hardly be content without still farther proofs of its victory, in reprisals on the adverse party.

On the other hand, so long as the crown maintains its independence, with regard to the several contending parties, which always will subsist under a free government, so far as not to render itself accountable for the mismanagements of that which happens to be in power ; their violence will always be spent on each other : the crown will be in no danger of suffering by their mutual shocks ; and its powers and prerogative will remain undisputed and untouched.

Besides

Besides the unpopularity of the measure in question ; the resentment which it naturally excites in the mind of the immediate sufferer, and of all who are connected with him by interest or affection, renders it of very dangerous tendency. As the effects of it are permanent, the resentment is not likely to subside very speedily. And, altho' the odium may fall primarily on the minister at whose instigation the blow was struck ; yet, as it was the act of an authority superior to the ministers, even the removal of the minister will not heal the wound. The public indeed may be satisfied in seeing a man removed from the royal councils, whose measures they disapproved ; and their resentment of the sufferings of particulars may be forgotten amidst the pleasing prospects which such a change opens upon them : But will this be a sufficient consolation to the man, who

who labors under the lasting effects of a deprivation which he is conscious that he has not merited ? Time may alleviate his sense of the wrong he has received ; and principles of duty, prudence, or public spirit, may prevent its breaking out : But the resentment of an injured person is never to be despised.

There is another consideration, which seems more peculiarly to affect the case of his majesty's *military* servants : as it will be granted, I suppose, that merit is of some consequence in *their* department at least. I apprehend it then to be for the interest of the crown, to be served in this department by men, who rest their whole claim to promotion on their deserts. When I speak of *desert* in a military officer ; I intend that only, which arises from the exercise of his military functions, exclusive of all other collateral merit. For, pre-
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ferment that is conferred from any other than this single consideration, can never help to kindle that laudable ambition, which makes brave foldiers and feamen : on the contrary, it tends directly to extinguish it. And, if the ardor of a man, who wifhes to rife in the fervice by the moft honorable methods, is in danger of being damped by the apprehenfion, that his claim of merit may poffibly be fuperseded by another of a lefs worthy kind ; is no fuch confequence likely to enfue from the apprehenfion of being degraded, after he fhall have arrived at the higheft point of his ambition, and of being deprived of all the fruits of his fervices, except the confcioufnefs and the reputation of having performed them——and all for no other crime than refufing to tarnifh his glory acquired in the field, by acting meanly in the fenate ?

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This consideration is the more worthy of attention, because it respects those chiefly, who are the most likely to distinguish themselves in the service : men of strong parts, and of an active, enterprizing spirit. These are the qualities which enable a man to shine, either as a warrior or as a senator. It is natural for one who is possessed of them, to be instigated by a two-fold ambition ; first of rising as high as his merits can carry him, in the scale of military advancement ; and then, of crowning his glory, in the character of a statesman and a patriot.

Two such animating ideas, interwoven in the breast of a brave man, must on all occasions that offer of signalizing himself, fire him even to enthusiasm. And would it not be a pity, would it not give a sensible concern to every one who wishes well to

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the service, if the union of two such noble designs were ever to prove chimerical ? which it must ; if ever things should be reduced to that pass, that the soldier, who has been useful to his country in his military capacity, and wishes to be no less so in his political, should of course find himself in this dilemma ; either to be degraded from his military honors, or to submit to a much worse degradation——that of becoming a subaltern to a minister.

I have reverentially refrained from entering into any considerations regarding that more abstruse and refined policy, which belongs to ministers of state. Yet, tho' not initiated into its mysteries ; thus much I think I can discover——that the minister who endeavors to support himself by such measures as that we have examined, can never justly be charged with an unreasonable timidity, or a faulty *modesty*——and that if, in the end,

end, even these measures should fail him; he has at least a title to this complement

Magnis tamen excidit AUSIS.

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